

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Case No.: 3:24-cv-00526-ART-CLB

EXHIBIT 4

Motions filed with Court and clawed back as “professional courtesy” prior to motion for dismissal.

Submitted by:

Plaintiff: Drew J. Ribar (Pro Se)

3480 Pershing Ln.

Washoe Valley, NV 89704

Phone: 775-223-7899

Email: const2audit@gmail.com

Date: January 7, 2025

This document is submitted as part of Plaintiff's filing in opposition to Defendant Build Our Center, Inc.'s Motion to Dismiss. It is marked as **Exhibit 4** to support Plaintiff's argument regarding the collaboration between Build Our Center, Inc., and the Washoe County Library System.

Relevant Information: Process Violations by defense consulting prior to notice of appearance and apparent collusion to delay process. Defense for Build Our Center had communications with defense for Washoe County about this case prior to notice of appearance and not filing a response within the time limits.

CERTIFICATION

I, Drew J. Ribar, certify that this exhibit is a true and accurate representation of the document referenced.

Respectfully submitted,

/S/Drew J. Ribar

Drew J. Ribar

Pro Se Plaintiff

Drew J. Ribar (Pro Se)
3480 Pershing Ln.
Washoe Valley NV 89704
775-223-7899
Const2Audit@gmail.com

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DREW RIBAR,

Plaintiff,

vs.

**BUILD OUR CENTER, INC.,
DEFENDANT.,**

Defendant

Case No.: 3:24-cv-00526-ART-CLB

**REQUEST FOR CLERK'S ENTRY OF
DEFAULT**

REQUEST FOR CLERK'S ENTRY OF DEFAULT

Plaintiff **Drew J. Ribar**, proceeding pro se, hereby requests that the Clerk of the Court enter default against Defendant **Build Our Center, Inc. ("BOC")**, pursuant to Federal Rule of Civil Procedure 55(a).

1. Plaintiff filed the Complaint in this matter on **November 20, 2024**.
2. Defendant BOC was properly served with the Summons and Complaint on **November 27, 2024**, as evidenced by the Affidavit of Service filed with this Court (Document 18).
3. Under Rule 12(a)(1)(A), Defendant's deadline to file a responsive pleading expired on **December 18, 2024**.
4. As of the date of this filing, Defendant BOC has not filed an answer, motion, or otherwise appeared in this action.

Pursuant to Rule 55(a), Plaintiff respectfully requests that the Clerk enter default against Defendant Build Our Center, Inc.

DATED: December 27, 2024

Respectfully submitted,

/S/ Drew J. Ribar

Drew J. Ribar

Pro Se Plaintiff

3480 Pershing Ln

Washoe Valley, NV 89704

775-223-7899 | const2audit@gmail.com

Exhibits Attached:

1. Affidavit of Service for Build Our Center, Inc. (Document 18).
2. Declaration of Non-Response.

Filed	Received	Entered	Served On
			Counsel/Parties of Record
NOV 27 2024			
Clerk US District Court District of Nevada			
By			Deputy

**IN THE US DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

Drew Ribar, Plaintiff)	Dated: 11/22/2024
PLAINTIFF)	
)	Civil File Number: 24009333
Vs)	
Washoe County, Nevada; Washoe County Library)	CASE No.: 324CV00526
System; Build Our Center, Inc.; Jeff Scott; Stacy)	
McKenzie; Jonnica Bowen; Library Employee DOE)	
#1; Jennifer Cole; Deputy C. Rothkin (Badge		
#4696); Deputy R. Sapida (Badge #4663); Sgt.		
George Gomez (Badge #4066); and John/Jane DOES		
1-10		
DEFENDANT		

DECLARATION OF SERVICE

STATE OF NEVADA }
 } ss:
COUNTY OF WASHOE }

Denise Matt, W5355, being first duly sworn, deposes and says: That affiant is a citizen of the United States, over 18 years of age, not a party to the within entered action, and that in the County of Washoe, State of Nevada, personally served the described documents upon:

Sub-served: **Build Our Center, Inc. by serving Stacey Spain, Executive Director**
Location: **c/o President 1745 S Wells Avenue Reno, NV 89502**
Date: **11/21/2024** **Time: 11:54 AM**

The document(s) served were: SUMMONS IN A CIVIL ACTION; COMPLAINT FOR VIOLATIONS OF CONSTITUTIONAL RIGHTS

I declare under penalty of perjury under the law provided of the State of Nevada that the foregoing is true and correct. No notary is required per NRS 53.045.

DARIN BALAAM, SHERIFF

By: /s/ Denise Matt – W5355
Sheriff's Authorized Agent

Drew Ribar
3480 Pershing Lane
Washoe Valley, NV 89704

Drew J. Ribar (Pro Se)
3480 Pershing Ln.
Washoe Valley NV 89704
775-223-7899
Const2Audit@gmail.com

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DREW RIBAR,

Case No.: 3:24-cv-00526-ART-CLB

Plaintiff,

vs.

DECLARATION OF NON-RESPONSE

**BUILD OUR CENTER, INC.,
DEFENDANT.,**

Defendant

DECLARATION OF NON-RESPONSE

I, **Drew J. Ribar**, declare as follows:

1. **Personal Knowledge:** I am the Plaintiff in the above-captioned matter, proceeding pro se. I make this declaration based on my personal knowledge and belief, and I am competent to testify to the matters stated herein.
2. **Filing of Complaint:** I filed the Complaint in this action on **November 20, 2024**.
3. **Service on Defendant Build Our Center, Inc.:** On **November 27, 2024**, Defendant **Build Our Center, Inc. ("BOC")** was duly served with the Summons and Complaint through its registered agent, **Stacey Spain**, as evidenced by the Affidavit of Service filed with this Court on **November 27, 2024** (Document 18).
4. **Deadline to Respond:** Under Federal Rule of Civil Procedure 12(a)(1)(A)(i), Defendant BOC was required to serve an answer or otherwise respond to the Complaint within 21 days of service, making the deadline for response **December 18, 2024**.

1 **5. Failure to Respond:** As of the date of this declaration, Defendant BOC has not filed an
2 answer, motion, or other responsive pleading, nor has it sought an extension of time to
3 respond.

4 **6. Efforts to Confirm Non-Response:** I have reviewed the Court's docket and records, and
5 I have not received any correspondence, communication, or filing from Defendant BOC
6 or its representatives indicating an intention to defend this action.
7

8
9 I declare under penalty of perjury under the laws of the United States of America that the
10 foregoing is true and correct.

11
12 **Executed on December 27, 2024,** at Washoe Valley, Nevada.

13
14 /S/ Drew J. Ribar

15 **Drew J. Ribar**

16 Pro Se Plaintiff

17 3480 Pershing Ln

18 Washoe Valley, NV 89704

19 775-223-7899 | const2audit@gmail.com
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Drew J. Ribar (Pro Se)
3480 Pershing Ln.
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775-223-7899
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DREW RIBAR,

Case No.: 3:24-cv-00526-ART-CLB

Plaintiff,

vs.

NOTICE OF SERVICE

**BUILD OUR CENTER, INC.,
DEFENDANT.,**

Defendant

NOTICE OF SERVICE

I, **Drew J. Ribar**, hereby certify that on December 27, 2024, I served the following documents upon Defendant **Build Our Center, Inc.**, and other parties of record in this matter:

1. **Request for Clerk's Entry of Default;**
2. **Declaration of Non-Response;**
3. Supporting Exhibits, including:
 - o Affidavit of Service for Build Our Center, Inc.

These documents were served via the following methods:

1. **Defendant Build Our Center, Inc.**

- **Method of Service:** Sent by [Certified Mail/Personal Delivery] to the last known address of Defendant's registered agent, **Stacey Spain**, at:

1745 S. Wells Avenue Reno, NV 89502

- Emailed to stacey@ourcenterreno.org
- Emailed to center@ourcenterreno.org

2. Other Named Defendants:

- Attorney for Washoe County defendants Michael Large emailed at mlarge@da.washoecounty.gov

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: December 27, 2024

/S/ Drew J. Ribar

Drew J. Ribar

Pro Se Plaintiff

3480 Pershing Ln

Washoe Valley, NV 89704

775-223-7899 | const2audit@gmail.com

Jerry C. Carter, Esq. (NSB 5905)
jcarter@sierracrestlaw.com
Alison R. Kertis, Esq. (NSB 138???)
akertis@sierracrestlaw.com
SIERRA CREST BUSINESS LAW GROUP
6770 S. McCarran Blvd., Reno, Nevada 89519
(775) 448-6070, Facsimile: (775) 473-8292
Counsel for Defendant BUILD OUR CENTER

UNITED STATES DISTRICT COURT
[NORTHERN] DISTRICT OF NEVADA

DREW RIBAR,

Plaintiff,

Case No. 3:24-cv-00526

v.

WASHOE COUNTY, NEVADA; WASHOE COUNTY
LIBRARY SYSTEM; BUILD OUR CENTER, INC.; JEFF
SCOTT; STACY MCKENZIE; JONNICA BOWEN;
LIBRARY EMPLOYEE DOE # 1; JENNIFER COLE;
DEPUTY C. ROTHKIN (Badge No. 4696); DEPUTY R.
SAPIDA (Badge No. 4663); SGT. GEORGE GOMEZ
(Badge No. 4066); and JOHN/JANE DOES 1-10;

Defendants.

**NOTICE OF
APPEARANCE OF
COUNSEL FOR DEFENDANT
BUILD OUR CENTER**

SIERRA CREST BUSINESS LAW GROUP, by and through JERRY C. CARTER,
ESQ. and ALISON R. KERTIS, ESQ., hereby gives notice of its appearance in the above-
entitled action on behalf of Defendant BUILD OUR CENTER, INC., and also requests
that all notices and all papers served or required to be served in this case be given to
and served upon it at the following address:

Jerry C. Carter, Esq. and/or Alison R. Kertis, Esq.
SIERRA CREST BUSINESS LAW GROUP
6770 S. McCarran Blvd, First Floor, Reno, NV 89509
jcarter@sierracrestlaw.com; akertis@sierracrestlaw.com

DATED December 27, 2024.

SIERRA CREST BUSINESS LAW GROUP

/s/ *Alison R. Kertis*

By:

Jerry C. Carter, Esq. (NSB 5905)
jcarter@sierracrestlaw.com
Alison R. Kertis, Esq. (NSB 38???)
akertis@sierracrestlaw.com
6770 S. McCarran Blvd., Reno, NV 89509
(775) 448-6070, Facsimile: (775) 473-8292
Counsel for Defendant BUILD OUR CENTER

CERTIFICATE OF SERVICE

I certify that I am an employee of the SIERRA CREST BUSINESS LAW GROUP who, on the below-written date, caused a true copy of the foregoing to be transmitted via email and also to be filed using the above-entitled Court's electronic filing (CM/ECF) system (which will automatically e-serve the same) on the person(s) and/or entity(ies) set forth directly below:

Drew Ribar

480 Pershing Lane, Washoe Valley, NV 89704
(775) 223-7899
const2audit@gmail.com
Plaintiff in propria persona

Michael W. Large, Esq.

DEPUTY DISTRICT ATTORNEY
One South Sierra Street Reno, NV 89501
mlarge@da.washoecounty.gov
(775) 337-5700
Counsel for Plaintiffs Washoe County and its Library System, Jeff Scott, Stacy Mckenzie, Jonnica Bowen, Jennifer Cole; Deputy C. Rothkin, Deputy R. Sapida, and Sgt. George Gomez

DATED: December 27, 2024.

/s/ *M.B. McCue*

an employee of the
SIERRA CREST BUSINESS LAW GROUP

Drew J. Ribar (Pro Se)
3480 Pershing Ln.
Washoe Valley NV 89704
775-223-7899
Const2Audit@gmail.com

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DREW J. RIBAR, PRO SE PLAINTIFF

Case No.: 3:24-cv-00526-ART-CLB

V.

**WASHOE COUNTY, ET AL.,
DEFENDANTS.**

**PLAINTIFF'S MOTION FOR
CLARIFICATION REGARDING
COMMUNICATIONS BETWEEN
DEFENDANT WASHOE COUNTY AND
COUNSEL FOR BUILD OUR CENTER,
INC.**

TO THE HONORABLE COURT:

Plaintiff **Drew J. Ribar**, acting pro se, respectfully submits this Motion for Clarification and Related Relief regarding the communications between Defendant Washoe County, represented by Michael Large, and counsel for Defendant Build Our Center, Inc. (BOC), **Alison R. Kertis**. This motion seeks to ensure transparency and procedural fairness in the present litigation and prevent undue prejudice to Plaintiff.

BACKGROUND

PLAINTIFF'S MOTION FOR CLARIFICATION REGARDING COMMUNICATIONS BETWEEN
DEFENDANT WASHOE COUNTY AND COUNSEL FOR BUILD OUR CENTER, INC. - 1

- 1 1. On **December 27, 2024**, Plaintiff filed a **Request for Clerk's Entry of Default** against
2 Defendant Build Our Center, Inc., for its failure to timely respond to the Complaint
3 within the period prescribed by the Federal Rules of Civil Procedure.
- 4 2. Approximately **14 minutes after Plaintiff filed the Request for Default**, Defendant
5 Washoe County's counsel, **Michael Large**, forwarded Plaintiff's filing to attorney **Alison**
6 **R. Kertis** via email at 2:51 PM.
- 7 3. **Fourteen minutes thereafter, at 3:05 PM**, Ms. Kertis reached out to Plaintiff, asserting
8 that she had been retained as counsel for Build Our Center, Inc. on December 27, 2024,
9 the same day the Request for Default was filed.
- 10 4. The timing of these events raises concerns about potential pre-coordination or prior
11 discussions between Mr. Large and Ms. Kertis regarding Build Our Center's response to
12 the lawsuit. If such coordination occurred, it may have delayed procedural actions and
13 prejudiced Plaintiff's ability to secure timely relief through default judgment.
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18 19 20 **ISSUE FOR CLARIFICATION**

21 Plaintiff respectfully requests clarification regarding whether there was communication or
22 coordination between Mr. Large (counsel for Washoe County) and Ms. Kertis (counsel for Build
23 Our Center, Inc.) prior to the filing of the Request for Clerk's Entry of Default. Specifically:

- 24 1. Did Mr. Large have prior knowledge of Ms. Kertis's retention as counsel for Build Our
25 Center, Inc.?
26
27

2. Were there communications or agreements between Mr. Large and Ms. Kertis regarding Build Our Center's failure to timely respond to the Complaint?
3. Did Mr. Large advise or suggest legal strategy to Build Our Center, Inc., despite their roles as separately represented parties?
4. Was the delay in Build Our Center's response a premeditated strategy involving Washoe County's counsel?

LEGAL BASIS FOR INQUIRY

1. **FRCP 11 and Ethical Obligations:** Attorneys are bound by the Federal Rules of Civil Procedure and ethical standards to avoid improper communication or conduct that prejudices procedural fairness.
2. **Procedural Fairness and Due Process:** Litigants have a right to expect that opposing parties and their counsel act independently unless participating in a disclosed joint defense agreement.
3. **Disclosure of Coordination:** If any coordination or agreements existed between Washoe County and Build Our Center, Inc., such arrangements must be disclosed to prevent undue prejudice and ensure compliance with applicable rules.

IMPLICATIONS FOR PROCEDURAL FAIRNESS

If improper pre-coordination occurred, it may have:

1. Prejudiced Plaintiff's ability to secure default judgment against Build Our Center, Inc.
2. Created an appearance of impropriety, undermining public confidence in the judicial process.
3. Violated ethical obligations governing independent representation of separately named defendants.

REQUEST FOR RELIEF

Plaintiff respectfully requests that this Court:

1. Direct counsel for Washoe County (Michael Large) and Build Our Center, Inc. (Alison Kertis) to provide sworn declarations detailing:
 - o The timing and nature of any communications regarding this litigation.
 - o The decision to retain Ms. Kertis and any role played by Mr. Large in that decision.
2. Require disclosure of any joint defense agreements or other arrangements between Defendants Washoe County and Build Our Center, Inc.
3. Strike any late Answer filed by Build Our Center, Inc., if improper coordination or delay tactics are discovered.

4. Award Plaintiff costs associated with preparing and filing this motion and the request for Clerks Entry of Default if the Court finds that coordination delayed Plaintiff's procedural rights.
5. Compel expedited compliance with discovery obligations, including initial disclosures and document production, to address any delays caused by potential coordination.
6. Issue a protective order barring undisclosed or improper communication between separately represented defendants in this case.
7. Consider imposing sanctions under Rule 11 or other appropriate rules if the Court finds that procedural fairness was compromised.
8. Grant any other relief the Court deems just and proper to ensure transparency and procedural integrity.

CONCLUSION

Plaintiff submits this motion in good faith to clarify the timeline of events, ensure transparency, and avoid any undue prejudice to Plaintiff's case. This inquiry is not intended to allege misconduct but to preserve the fairness and integrity of these proceedings.

Respectfully submitted,

/S/Drew J. Ribar

Drew J. Ribar

Pro Se Plaintiff

3480 Pershing Ln
Washoe Valley, NV 89704
775-223-7899
const2audit@gmail.com

DATED: December 30, 2024

Drew J. Ribar (Pro Se)
3480 Pershing Ln.
Washoe Valley NV 89704
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DREW J. RIBAR, PRO SE PLAINTIFF

Case No.: 3:24-cv-00526-ART-CLB

V.

WASHOE COUNTY, ET AL.,

NOTICE OF SERVICE

DEFENDANTS.

TO THE COURT AND ALL PARTIES:

PLEASE TAKE NOTICE that on December 30, 2024, Plaintiff **Drew J. Ribar**, acting pro se, served the following document on all counsel of record in this matter:

1. **Plaintiff's Motion for Clarification and Related Relief Regarding Communications Between Defendant Washoe County and Counsel for Build Our Center, Inc.**

The document was served via the following methods:

1. **Via Email:**

- o **Michael Large, Esq.**

Email: mlarge@da.washoecounty.gov

Counsel for Defendants Washoe County, Washoe County Library System, and associated individual defendants

1 ○ **Alison R. Kertis, Esq.**

2 **Email:** akertis@sierracrestlaw.com

3 Counsel for Defendant Build Our Center, Inc.

4
5 2. **Via Mail or In-Person Delivery:** A copy of the document was also sent via U.S. First-
6 Class Mail or personally delivered to the following addresses:

7 ○ **Michael Large, Esq.**

8 Washoe County District Attorney's Office

9 One South Sierra Street

10 Reno, NV 89501

11
12 ○ **Alison R. Kertis, Esq.**

13 Sierra Crest Law

14 6770 South McCarran Blvd.

15 First Floor

16 Reno, NV 89509
17
18

19
20 **CERTIFICATION**

21
22 I hereby certify that the foregoing document was served on the above-listed recipients in
23 compliance with the Federal Rules of Civil Procedure and the Local Rules of this Court.
24

25 **Respectfully submitted,**
26
27
28

/S/Drew J. Ribar

Drew J. Ribar

Pro Se Plaintiff

3480 Pershing Ln

Washoe Valley, NV 89704

775-223-7899

const2audit@gmail.com

DATED: December 30, 2024

MICHAEL W. LARGE
Deputy District Attorney
Nevada State Bar Number 10119
One South Sierra Street
Reno, NV 89501
mlarge@da.washoecounty.gov
(775) 337-5700

ATTORNEY FOR WASHOE COUNTY
DEFENDANTS

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DREW RIBAR,

Plaintiff,

Case No. 3:24-CV-00526-ART-CSD

vs.

DEFENDANT'S RESPONSE TO
PLAINTIFF'S MOTION FOR
CLARIFICATION

WASHOE COUNTY, NEVADA; WASHOE
COUNTY LIBRARY SYSTEM; BUILD OUR
CENTER, INC.; JEFF SCOTT; STACY
MCKENZIE; JONNICA BOWEN; LIBRARY
EMPLOYEE DOE #1; JENNIFER COLE;
DEPUTY C. ROTHKIN (BADGE #5696);
DEPUTY R. SAPIDA (BADGE #4663; SGT.
GEORGE GOMEZ (BADGE #4066); AND
JOHN/JANE DOES 1+10,

Defendants.

Defendants Washoe County, Washoe County Library System, Jeff Scott, Stacy
McKenzie, Jonnica Bowen, Jennifer Cole, Deputy Rothkin, Deputy Sapida, and Sgt. Gomez, by
and through counsel hereby responds to Plaintiff's Motion for Clarification Regarding
Communications Between Defendant Washoe County and Counsel for Build Our Center, Inc.
(ECF No. 39). This response is based on the following Memorandum of Points and Authorities.

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MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff Drew Ribar has filed “Motion For Clarification Regarding Communication Between Defendant Washoe County and Counsel for Build Our Center.” ECF No. 39. Therein, Ribar accuses counsel for Washoe County and counsel for Build Our Center of engaging in discussions regarding the lawsuit prior to Defendant Build Our Center’s first appearance. *Id.* at 2. Ribar bases his motion on an email sent by the undersigned to Ms. Kertis on December 27, 2024 informing her of Plaintiff’s Motion for Entry of Clerk’s Default. Ribar asserts that this was improper under FRCP 11 and “ethical standards to avoid improper communication or conduct that prejudices procedural fairness.” ECF No. 39 at 3. Ribar’s motion has no basis in law or fact, and is brought without a good faith basis.

Court must prevent parties from misusing motion for sanctions as “instruments of harassment or delay.” *Rebel Communications, LLC v. Virgin Valley Water Dist.*, 2011 WL 677308, at *5 (D. Nev. 2011) citing *IN-N-OUT Burger v. In & Out Tire & Auto, Inc.*, 2008 WL 2937294 *3 (D.Nev.2008). The moving party bears the burden of establishing an ethical violation or other factual predicate upon which the motion depends. *See United States v. Walker River Irr. Dist.*, 2006 WL 618823(D. Nev. 2006). Courts assume that an attorney will observe his responsibilities to the legal system, as well as to his client. *United States v. Walker River Irr. Dist.*, 2006 WL 618823, at *5 (D. Nev. Mar. 10, 2006) (internal citations and quotations omitted).

Neither the Federal Rules of Civil Procedure, nor the Nevada Rules of Professional Conduct prohibit attorneys for independently named Defendants from speaking about litigation, coordinating activities, discussing legal strategy, or sharing information. FRCP 11 imposes a duty on attorneys or an unrepresented party to certify that they have conducted a reasonable inquiry and have determined that any papers filed with the court are well grounded in fact, legally tenable, and “not interposed for any improper purpose.” *Cooter & Gell v. Hartmarx Corp.*, 110 S. Ct. 2447, 2454 (1990). An attorney or unrepresented party who signs the paper without such a substantiated belief “shall” be penalized by “an appropriate sanction.” *Id.* Ribar does not identify

1 any paper filed with the court by Defendants Washoe County or Defendant Build Our Center
2 that is the basis for his motion and therefore FRCP 11 is inapplicable to his present accusations.

3 Likewise, Ribar fails to point to any provision of the Nevada Rules of Professional
4 Conduct that impose an ethical obligation on the undersigned to inform Ribar of
5 communications between counsel for co-defendants. And he cannot, because no such rules exist.
6 See Nevada Rule of Professional Conduct 3.4 (fairness to opposing counsel); see also Nevada
7 Rules of Professional Conduct 4.1-4.4 (addressing transactions with persons other than client).

8 Nevada Rule of Professional Conduct 3.5A specifically provides that “[w]hen a lawyer
9 knows or reasonably should know the identity of a lawyer representing an opposing party, he or
10 she should not take advantage of the lawyer by causing any default or dismissal to be entered
11 without first inquiring about the opposing lawyer’s intention to proceed.” The alleged improper
12 communication fits squarely within the spirit and context of the rule in preventing default to be
13 entered against Defendant Build Our Center by informing Ms. Kertis of Ribar’s intent to take
14 default.

15 At its core, Ribar’s motion lacks any basis in law or fact, and should be summarily denied.
16 Pro se litigants, like Ribar, “remain obligated to follow the same rules as represented parties.”
17 *McCart-Pollak v. Saevitzon*, 2024 WL 4279339, at *1 (D. Nev. 2024) citing *Ghazali v. Moran*, 46 F.3d
18 52, 54 (9th Cir. 1995) (“Although we construe pleadings liberally in their favor, pro se litigants
19 are bound by the rules of procedure.”) (per curiam); *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987)
20 (“Pro se litigants must follow the same rules of procedure that govern other litigants.”). Self-
21 representation is not an excuse for non-compliance with the court’s rules and orders. See *Swimmer*
22 *v. IRS.*, 811 F.2d 1343, 1344 (9th Cir. 1987) (“[i]gnorance of court rules does not constitute

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excusable neglect, even if the litigant appears pro se.”) (citation omitted). In bringing this motion without a good faith basis, Ribar is wasting the time and resources of not only opposing counsel but also this Court.

Dated this 6th day of January 2025.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Michael W. Large
MICHAEL W. LARGE
Deputy District Attorney
One South Sierra Street
Reno, NV 89501
mlarge@da.washoecounty.gov
(775) 337-5700

ATTORNEYS FOR WASHOE COUNTY
DEFENDANTS

CERTIFICATE OF SERVICE

Pursuant to FRCP 5, I certify that I am an employee of the Office of the District Attorney of Washoe County, over the age of 21 years and not a party to nor interested in the within action. I certify that on this date, I deposited for mailing in the U.S. Mails, with postage fully prepaid, a true and correct copy of the foregoing document in an envelope addressed to the following:

DREW RIBAR
3480 PERSHING LANE
WASHOE VALLEY. NV 89704

Pursuant to FRCP 5, I certify that I am an employee of the Office of the District Attorney of Washoe County, over the age of 21 years and not a party to nor interested in the within action. I certify that on this date, the foregoing was electronically filed with the United States District Court. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

ALISON GANSERT KERTIS, ESQUIRE

Dated this 6th day of January 2025.

/s/ C. Theumer
C. Theumer